

ORAL ARGUMENT NOT YET SCHEDULED

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

AGUDAS CHASIDEI CHABAD OF
UNITED STATES,

Plaintiff-Appellee,

v.

RUSSIAN FEDERATION; RUSSIAN MINISTRY
OF CULTURE AND MASS COMMUNICATION;
RUSSIAN STATE LIBRARY; AND RUSSIAN
STATE MILITARY ARCHIVE,

Defendants-Appellees,

TENEX-USA INCORPORATED,

Appellant.

Case No. 23-7036

Consolidated with No. 23-7037

**CONSENT MOTION FOR LEAVE TO UTILIZE
DEFERRED APPENDIX PROCEDURE**

Pursuant to Federal Rules of Appellate Procedure 27 and 30(c) and D.C. Circuit Rules 27 and 30(c), Appellant Tenex-USA, Incorporated (“Tenex-USA”) respectfully moves this Court for leave to use the deferred appendix procedure. Under D.C. Circuit Rule 30(c), “[i]f all parties consent, they may utilize the deferred appendix option.” The Parties have conferred, and in the interest of efficiency, have consented to the use of the deferred appendix option.

If the Court grants this motion, the original briefing schedule entered by the Court on August 30, 2023—except for the original October 4, 2023 deadline for the appendix—will remain in force:

- October 4, 2023: Appellants’ Opening Briefs.
- November 15, 2023: Appellee’s Brief.
- December 15, 2023: Appellants’ Reply Briefs.

However, to allow for the deferred appendix procedure, Tenex-USA respectfully requests that the Court set the following additional deadlines for the filing of the deferred appendix and the Parties’ final briefs:

- December 22, 2023: Deferred Appendix.
- January 5, 2024: Final Briefs.

Dated: September 28, 2023
Washington, DC

Respectfully submitted,

WHITE & CASE_{LLP}

/s/ Carolyn B. Lamm

Carolyn B. Lamm (D.C. Bar No. 221325)
Nicolle Kownacki (D.C. Bar No. 1005627)
Ena Cefo (D.C. Bar No. 1044266)
701 Thirteenth Street, NW
Washington, DC 20005
Telephone: (202) 626-3600
Facsimile: (202) 639-9355
clamm@whitecase.com
nkownacki@whitecase.com
ena.cefo@whitecase.com

*Counsel for Appellant Tenex-USA,
Incorporated*

CERTIFICATE OF COMPLIANCE

This document complies with the type-volume limitation of Rule 27(d)(2)(A) of the Federal Rules of Appellate Procedure. This motion contains 165 words (as calculated by the automatic word count function of Microsoft Word), excluding the parts of the motion exempted by Rule 32(f) of the Federal Rules of Appellate Procedure.

This document complies with the typeface requirements of Rule 32(a)(5)(A) of the Federal Rules of Appellate Procedure and the type-style requirements of Rule 32(a)(6) of the Federal Rules of Appellate Procedure because this document has been prepared in a proportionally spaced typeface in 14-point Times New Roman font.

/s/ Carolyn B. Lamm

Carolyn B. Lamm (D.C. Bar No. 221325)
701 Thirteenth Street, NW
Washington, DC 20005
Telephone: + 1 202 626 3600
clamm@whitecase.com

*Counsel for Appellant Tenex-USA,
Incorporated*

1. CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2023, a true and correct copy of the Joint Motion for Extension of Time was served to all parties or counsel of record through the CM/ECF system.

I further certify that on September 28, 2023, a true and correct copy of the Joint Motion for Extension of Time will be served by registered mail service on each of the following:

Ministry of Justice of the Russian Federation
Attn: Hon. Konstantin Chuychenko, Minister
14 Zhitnaya Street
GSP-1 Moscow, Russia 119991

Ministry of Culture of the Russian Federation
Attn: Hon. Olga Lyubimova, Minister
7/6, Bldg. 1, 2, Malyy Gnezdnikovskiy Pereulok
Moscow, Russia 125993

Russian State Military Archive
Attn: Vladimir N. Kyzelenkov, General Director
29 Admiral Makarov Street
Moscow, Russia 12512

Russian State Library
Attn: Vadim Valerievich Duda, General Director
3/5, Vozdvizhenka Street, 2nd Entrance
Moscow, Russia 119019

/s/ Carolyn B. Lamm